

Appendix B: status update on the investigation of the fatal shooting of John T. Williams by a Seattle police officer

Investigation by the SPD Homicide Section

This investigation is near conclusion. It includes the transcribed testimony of over 16 witnesses, extensive physical evidence – including video and audio recordings - and incident diagrams and scene recreations. When completed, it will be submitted to the member of the Firearms Review Board, and King County Prosecutor for their review, which may include follow-up questions and direction for further investigation from either the King County Prosecutor, members of the Firearms Review Board, or both.

Details of the investigation will not be disclosed prior to the King County Inquest. The investigation will be completed before the Firearms Review Board convenes.

Independent Review

When the SPD Homicide unit has completed its investigation and submitted the case file to the Firearms Review Board and King County Prosecutor, the Department is prepared to submit the complete and unedited investigation to two comparable police agencies to undertake a peer review. The criteria for the request to these peer agencies is that they are comparable in size or larger than the Seattle Police Department, and recognized on a national level for their major crime investigation thoroughness and credibility. The scope of this review will be to examine every facet of the Department's investigation and determine if there are any gaps, omissions, inconsistencies or investigative requirements that were unmet. This peer review will be completed prior to the Inquest.

Firearms Review Board

The Firearms Review Board is scheduled to convene on Monday, October 4. It will include a visit by the Board members to the incident site. Investigating detectives will provide the complete case file to each Board member, and will testify about the factual findings of their investigation. The involved officer will testify.

The Firearms Review Board will be chaired by Deputy Chief Clark Kimerer, Department Chief of Staff, and will consist of members Jim Dermody, Captain of the East Precinct; Dick Belshay, Captain of Homeland Security; Scott Bachler, Training Lieutenant; Rebecca Roe, appointed by the Mayor and confirmed by the City Council as one of two Citizen Observers to the SPD Firearms Review process; and a member of the Seattle Police Officers Guild. The Citizen

Observer and Guild member do not participate in the final deliberation and decision-making process.

The Firearms Review Board is an internal administrative process, which seeks to determine based upon the totality of the evidence whether the force employed was justified; whether the actions of the officer contributed to the need to use force; whether there are immediate or long-term training or policy issues which need to be addressed; and what the duty status of the involved officer should be. As there will be a King County Inquest, the findings concerning whether the force used was justified will be deemed preliminary and confidential, reported only to the Chief of Police and the King County Prosecutor.

King County Inquest

The King County Inquest has not been scheduled. The King County Executive has stated that he seeks to convene an Inquest within 90 days of the incident. A detailed description of the Inquest process is attached. It is important to note that the Inquest is an independent judicial inquiry during which the investigation into the incident is publically reviewed by a District Court Judge and citizen jury. The involved officer will be asked to testify under oath.

Actions following conclusion of Inquest

The Firearms Review Board will reconvene, and consider any new evidence revealed through the Inquest process. At this time, the findings of the Firearms Review Board will be finalized and submitted to the Chief of Police. In the event the firearms discharge is found to be unjustified, the case will also be forwarded to the Office of Professional Accountability as an administrative case.